

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

ISSAQUENA AND WARREN COUNTIES LAND
COMPANY, LLC, ET AL.

PLAINTIFFS

VS.

CIVIL ACTION NO. 5:07-cv-106(DCB)(JMR)

WARREN COUNTY, MISSISSIPPI BOARD
OF SUPERVISORS, ET AL.

DEFENDANTS

ORDER

This cause comes before the Court sua sponte to stay this action pending a determination by the Mississippi Supreme Court of an appeal in the case of Paw Paw Island Land Co., Inc. v. Issaquena and Warren Counties Land Company, LLC, Cause No. 2003-179GN in the Chancery Court of Warren County, Mississippi.

This Court has the discretionary authority to order a stay in this action. United States v. \$9,041,598.68, 163 F.3d 238, 251 (5th Cir. 1999)(holding that a federal district court has the discretionary authority to stay a proceeding "to control the course of litigation"). Under the facts of this case, the Court finds that a stay of all proceedings in this case is appropriate. The Court finds that an ultimate resolution by the Mississippi Supreme Court of the issues on appeal will clarify and narrow the issues to be decided by this Court. The interests of justice and judicial economy would be better served by staying this litigation pending the outcome of that appeal. Accordingly,

IT IS HEREBY ORDERED that this action is STAYED pending the

resolution of the appeal of the September 12, 2008, Memorandum Opinion and Final Judgment in Paw Paw Island Land Co., Inc. v. Issaquena and Warren Counties Land Company, LLC, Cause No. 2003-179GN in the Chancery Court of Warren County, Mississippi, currently pending before the Mississippi Supreme Court.

The Court finds that there appears to be no further reason to maintain this file as an open one for statistical purposes. Nothing contained in this Order shall be considered a dismissal or disposition of this matter, and should further proceedings in it become necessary or desirable, any party may initiate them in the same manner as if this Order had not been entered.

The parties are to immediately notify the Court when a decision is rendered in the aforementioned appeal, and the stay will be lifted.

SO ORDERED, this the 15th day of September, 2009.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE